

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 10-00431 JVS (RNBx) Date February 10, 2011

Title National Marketing Inc., et al. V. Getnutri.com, et al.

Present: The James V. Selna
Honorable

Karla J. Tunis

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers)

**ORDER TO SHOW CAUSE RE
DISMISSAL FOR LACK OF PROSECUTION**

The Court **ORDERS** plaintiff(s), to show cause in writing no later than **February 25, 2011** why this action should not be dismissed for lack of prosecution as to the all defendants. As an alternative to a written response by plaintiff(s), the Court will consider the filing of one of the following, as an appropriate response to this Order to Show Cause, on or before the above date:

X Plaintiff's filing of a motion/application for entry of default judgment as to defendants.

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 120 days after the filing of the complaint. Fed. R. Civ. P. 4(m) The Court may dismiss the action prior to the expiration of such time, however, if plaintiff(s) has/have not diligently prosecuted the action.

It is the plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time under Rule 55 remedies promptly upon default of any defendant. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1

The Court vacates the Scheduling Conference currently set for Monday, February 11, 2011 at 11:00 a.m. to be reset if necessary.

Initials of Preparer kjt